

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on August 5, 2008 at 7:03 p. m. after the 6:30 p.m. caucus session, where the Council discussed pending agenda items and alternate school traffic routes during the 9th Street Bridge construction.

Mayor Cline presiding.

Mayor Cline led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Joe McKenzie, YEA Commissioner David Schilling, YEA Mayor David Cline.

Also physically present were City personnel: City Administrator Alan Gilmore, City Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Community Development Coordinator Kyle Gill, Deputy Fire Chief Andy Adair, Police Chief David Griffith, Fire Chief Mike Chism, and City Clerk Susan J. O'Brien.

Mayor Cline seconded by Commissioner Schilling moved to approve the consent agenda consisting of: minutes of the regular meeting July 15, 2008, Fire and Police reports for the month of June, 2008; payroll and bills for the last half of July 2008.

Bills and Payroll for the last half of July, 2008

General Fund

Payroll		\$	268,297.13
Bills		\$	<u>121,193.29</u>
	Total	\$	389,490.42

Hotel Tax Fund

Payroll		\$	2,874.08
Bills		\$	<u>1,547.66</u>
	Total	\$	4,421.74

Festival Management

Bills		\$	<u>15,030.96</u>
	Total	\$	15,030.96

Insurance & Tort Judgment

Bills		\$	<u>46,893.00</u>
	Total	\$	46,893.00

Midtown TIF Fund

Bills		\$	<u>25.84</u>
	Total	\$	25.84

Capital Project Fund

Bills		\$	<u>17,760.67</u>
	Total	\$	17,760.67

Mall Business District

Bills		\$	39.61
	Total	\$	39.61

Water Fund

Payroll		\$	33,346.99
Bills		\$	<u>41,043.99</u>
	Total	\$	74,390.98

Sewer Fund

Payroll		\$	32,755.67
Bills		\$	<u>28,370.29</u>
	Total	\$	61,125.96

Cemetery Fund

Payroll		\$	5,161.81
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Bills		\$	<u>1,824.16</u>
	Total	\$	6,985.97
<u>Motor Fuel Fund</u>			
Bills		\$	<u>42,634.65</u>
	Total	\$	42,634.65
<u>Health Insurance</u>			
Bills		\$	<u>112,979.87</u>
	Total	\$	112,979.87

Mayor Cline called for comments. There were no comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mr. Herb Meeker of the Journal Gazette inquired about the change in the Form of Government referendum with Attorney & Treasurer Owen confirming its effect on the next election upon passage and the same number of Council members serving the City.

Mayor Cline seconded by Commissioner Ervin moved to approve Council Decision Request 2008-894, approving bid specifications and authorizing the advertising of bids for the construction of an addition to the Police Department Pistol Range Building. Omega funds would be used for this project.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling,. YEA Mayor Cline.

Commissioner McKenzie seconded by Commissioner Schilling moved to adopt Resolution 2008-2749, authorizing execution of \$25,000 agreement with the Coles County Regional Planning and Development Commission (CCRP-DC) for Geographic Information System (GIS) Support Services.

**CITY OF MATTOON
RESOLUTION NO. 2008-2749**

**RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT
FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) SUPPORT SERVICES WITH THE COLES COUNTY
REGIONAL PLANNING & DEVELOPMENT COMMISSION**

WHEREAS, the City of Mattoon is in the process of implementing a General Information System (GIS) Mapping system to provide a critical tool in the management of its community planning, community development and infrastructure improvement activities, and;

WHEREAS, the Coles County Regional Planning and Development Commission has been deemed by the City Council as qualified to assist the City of Mattoon in the implementation of said GIS System, said Commission furnishing a proposed contract agreement for said GIS services to the City, and

WHEREAS, The City Council has examined the proposed contract agreement, entitled:

“GEOGRAPHIC INFORMATION SYSTEM (GIS) SUPPORT SERVICES AGREEMENT BETWEEN THE CITY OF MATTOON
AND THE COLES COUNTY REGIONAL PLANNING AND DEVELOPMENT COMMISSION”

and finds the agreement to be acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Mattoon, Coles County, Illinois that the City enter into and execute this Contract Agreement for Administrative Services with the Coles County Regional Planning and Development Commission. This resolution is retroactive to said Contract Agreement’s effective date of May 1, 2008. The Mayor is authorized to execute said AGREEMENT.

Upon motion by Commissioner McKenzie, seconded by Commissioner Schilling, adopted this 5th day of August, 2008, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,

Commissioner McKenzie, Commissioner Schilling,
Mayor Cline

NAYS (Names): None
ABSENT (Names): None

Approved this 5th day of August, 2008.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:
/s/ Susan J. O'Brien /s/ J. Preston Owen
Susan J. O'Brien, City Clerk J. Preston Owen, City Attorney

Recorded in the Municipality's Records on August 6, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Ervin seconded by Commissioner McKenzie moved to approve Council Decision Request 2008-895, approving a \$500.00 grant by the Tourism Advisory Committee from hotel/motel tax funds to the East Central Illinois Antique Farm Equipment Club for the East Central Illinois Antique Farm Equipment Show held July 18-20, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to adopt Special Ordinance 2008-1284, clarifying the Mattoon Mid-town TIF Phase I Incentive Boundary Area.

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2008-1284

AN ORDINANCE CLARIFYING THE MATTOON MID-TOWN TIF PHASE I INCENTIVE BOUNDARY AREA AS PRESENTED AUGUST, 2003 BY EHLERS & ASSOCIATES TO THE CITY OF MATTOON, ILLINOIS

WHEREAS, a discrepancy in the Mattoon Mid-town TIF District's Phase I Incentive Boundary Area has been recently discovered; and

WHEREAS, the City of Mattoon established the Mid-town TIF District in 2003 based on a map used in the presentation of the TIF Plan to the Mattoon City Council depicting 13th Street as the eastern boundary of the Mid-town TIF District Phase I Incentive area; and

WHEREAS, maps included in the Mid-town TIF District Plan indicate the Phase I Incentive Area's eastern boundary to be 15th Street; and

WHEREAS, no legal description of the Mattoon Mid-town TIF District's Phase I Incentive Area is included in the Mattoon Mid-town TIF District Plan; and

WHEREAS, the TIF Incentive Review Committee has utilized 14th Street as the eastern boundary of the Mid-town Phase I Incentive Area in formulating incentive recommendations to the Mattoon City Council, and

WHEREAS, 14TH Street has been the psychological, social and historical boundary of the Mid-town business district in Mattoon, Illinois for decades.

NOW THEREFORE BE IT ORDAINED by the City Council for the City of Mattoon, Coles County, Illinois to adopt the attached Mid-town TIF District Phase I Boundary Area, prepared August, 2008 by the Coles County Regional Planning and Development Commission establishing 14th Street as the eastern boundary of the Mid-town TIF District Phase I Incentive Area.

This ordinance shall be effective the day of its adoption and approval by the City Council.

Upon motion by Mayor Cline, seconded by Commissioner Ervin, adopted this 5th day of August, 2008, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,
 Commissioner McKenzie, Commissioner Schilling,
 Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 5th day of August, 2008.

/s/ David W. Cline

David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on August 6, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Schilling seconded by Commissioner Hall moved to approve Council Decision Request 2008-896, accepting the recommendations of the TIF Incentive Review Committee:

1. Marilyn McClean for a building located at 1516 Broadway Avenue, deeming no further assistance on the project; and,

2. Robert Reid dba D to Z Sports for a building located at 1611 Broadway Avenue granting \$13,110.00 to be dispersed over 10 years in annual payments of \$1,311.00 beginning in fiscal year 2010 for roof replacement; and,

3. Doug & Jeanne Vonderheide for buildings located at 118 & 120 South 17th Street granting \$51,590 to be dispersed over a 10 years in annual payments of \$5,159 beginning in fiscal year 2010 for replacement of the brick façade on the 118 South 17th building and installing new windows, siding and awnings on both buildings.
Mid-town TIF projects

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Schilling seconded by Commissioner McKenzie moved to approve Council Decision Request 2008-897, accepting the recommendations of the TIF Incentive Review Committee to Dr. Kenneth Myracle for up to \$65,505.00 over a ten-year term for the extension of utility service, installation of underground storm water detention basins, and obtainment of easements for the project located at 117 Holiday Drive. *Broadway East TIF project*

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Ervin seconded by Commissioner Hall moved to approve Council Decision Request 2008-898, approving the mural contract with DS Gordon Murals for the amount of \$33,000 to be funded with the Lumpkin Family Foundation Grant, and authorizing the Mayor and City Clerk to sign the document.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Hall moved to adopt Ordinance 2008-5258, approving a Redevelopment Agreement between the City of Mattoon, Illinois and Cross County National Associates, L.P.; and authorizing certain actions by City Officials.

CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2008-5258

AN ORDINANCE APPROVING A REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF MATTOON, ILLINOIS AND CROSS COUNTY NATIONAL ASSOCIATES, L.P. AND AUTHORIZING CERTAIN ACTIONS BY CITY OFFICIALS.

WHEREAS, pursuant to the provisions of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.*, as amended (the “TIF Act”), the City Council on December 4, 2007 (1) approved a plan entitled “Tax Increment Financing Redevelopment Plan and Project – Broadway East Redevelopment Project Area” (the “Redevelopment Plan”), (2) designated certain real property located in the City as the Broadway East Redevelopment Project Area, which includes land upon which the Cross County Mall is situated, and (3) adopted tax increment financing for the Broadway East Redevelopment Project Area; and

WHEREAS, pursuant to the Business District Development and Redevelopment Act, 65 ILCS 5/11-74.3 *et seq.*, as amended (the “Business District Act”), the City Council on December 4, 2007 (1) approved a plan entitled “Business District Plan – Broadway East Business District” (the “Business District Plan”), (2) designated certain real property located in the City as a business district (the “Business District”), which includes land upon which the Cross County Mall is situated, and (3) authorized the imposition of certain additional sales taxes within the Business District; and

WHEREAS, in response to a solicitation of proposals by the City for redevelopment of certain property that includes the Cross County Mall (the “Redevelopment Area”), Cross County National Associates, L.P. (the “Developer”) submitted a proposal (the “Redevelopment Proposal”) for redevelopment of the Redevelopment Area; and

WHEREAS, pursuant to the TIF Act and the Business District Act the City is authorized to enter into a redevelopment agreement (the “Redevelopment Agreement”) with the Developer setting forth the respective rights and obligations of the City and the Developer with regard to the redevelopment of the Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, ILLINOIS, AS FOLLOWS:

Section 1. The City Council hereby ratifies and confirms its approval of the Redevelopment Plan, the Business District Plan and the redevelopment project described in the Redevelopment Proposal (the “Redevelopment Project”) and its findings in connection therewith. The City Council finds and determines that it is necessary and desirable to enter into an agreement with the Developer to implement the Redevelopment Plan, the Business District Plan and the Redevelopment Project and to enable the Developer to carry out the Redevelopment Proposal.

Section 2. The Mayor is hereby authorized and directed to execute, on behalf of the City, and the City Clerk is hereby authorized and directed to attest, and affix the seal of the City to, the Redevelopment Agreement (attached hereto as **Exhibit A**). The Redevelopment Agreement, in substantially the form attached hereto, is hereby approved by the City Council, with such changes therein as shall be approved by the officers of the City executing the same.

Section 3. The officers, agents and employees of the City are hereby authorized and directed to execute all documents and take such necessary steps as they deem necessary and advisable in order to carry out and perform the purpose of this Ordinance.

Section 4. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has or would have enacted the valid sections without the void ones; and (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 5. This Ordinance shall be in full force and effect from and after the date of its passage and approval as provided by law.

Upon motion by Mayor Cline, seconded by Commissioner Hall, adopted this 5th day of August, 2008, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,
Commissioner McKenzie, Commissioner Schilling,

Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 5th day of August, 2008.

/s/ David W. Cline

David W. Cline, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on August 6, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner McKenzie seconded by Commissioner Schilling moved to approve Council Decision Request 2008-899, authorizing the Mayor to sign a contract with The Upchurch Group for temporary engineering services for up to \$6,000 during the reconstruction of the 9th Street Bridge.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to adjourn at 7:14 p.m.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

/s/ Susan J. O'Brien

City Clerk